

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|  |   |                                    |
|--|---|------------------------------------|
| -----                                    | X |                                    |
| ROBERT CORWIN, Individually, and On      | : |                                    |
| Behalf of All Others Similarly Situated, | : |                                    |
|  | : | Electronically Filed               |
| Plaintiff,                               | : |                                    |
|  | : | Civil Action No.: 1:07-cv-06728-DC |
| v.                                       | : | (ECF Case)                         |
|  | : |                                    |
| BERND R. SEIZINGER, MARTINE              | : | Hon. Denny Chin                    |
| GEORGE, MARCEL ROSENCZWEIG, and          | : |                                    |
| GPC BIOTECH AG,                          | : |                                    |
|  | : |                                    |
| Defendants.                              | : |                                    |
| -----                                    | X |                                    |

*(Additional captions on the following pages)*

**DECLARATION OF ALAN I. ELLMAN IN SUPPORT  
OF THE MOTION OF AXXION S.A. LUXEMBURG, ON BEHALF OF ITS AKROBAT  
FUND-VALUE, FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF,  
AND APPROVAL OF SELECTION OF LEAD COUNSEL**

----- X  
ISTVAN TEMESFOI, Individually, and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

GPC BIOTECH AG, BERND R. SEIZINGER,  
MARTINE GEORGE and, MARCEL  
ROSENCZWEIG,

Defendants.  
----- X

AUDREY DANG, Individually, and On Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

GPC BIOTECH AG, BERND R. SEIZINGER,  
MARTINE GEORGE and, MARCEL  
ROSENCZWEIG,

Defendants.  
----- X

Electronically Filed

Civil Action No.: 1:07-cv-07016-DC  
(ECF Case)

Hon. Denny Chin

Electronically Filed

Civil Action No.: 1:07-cv-07476-DC  
(ECF Case)

Hon. Denny Chin

Alan I. Ellman declares under penalty of perjury this day 24th day of September, 2007:

1. I am an associate with the law firm of Labaton Sucharow LLP. I submit this declaration in support of the motion of Axxion S.A. Luxemburg, on behalf of its Akrobat Fund-Value (“Axxion”), for consolidation, appointment as lead plaintiff, and for approval of selection of lead counsel.
2. Attached hereto as Exhibit A is a true and correct copy of the signed certification of Axxion pursuant to the requirements of the Private Securities Litigation Reform Act of 1995. 15 U.S.C. §78u-4(a)(2).
3. Attached hereto as Exhibit B is a true and correct copy of a chart of Axxion’s transactions and approximate losses in GPC securities.
4. Attached hereto as Exhibit C is a true and correct copy of the notice to class members concerning the first-filed of the above-captioned actions that was published on July 26, 2007 on *PRNewswire*, advising the public of the pendency of a class action filed on behalf of shareholders of GPC Biotech AG (“GPC”).
5. Attached hereto as Exhibit D is a true and correct copy of the firm resume of Labaton Sucharow LLP.

I hereby declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read 'A. I. Ellman', written over a horizontal line.

ALAN I. ELLMAN (AE-7347)